IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 12TH SEPTEMBER 2006 / 21ST BHADRA 1928

Bail Appl..No. 5371 of 2006

CRIME NO.2/2005 OF KONNI EXCISE RANGE

PETITIONER/ACCUSED

HARICHANDRAN, AGED 57 YEARS,
S/O.NARAYANA KURUP, `HARICHANDRA BHAVAN',
VALLICODU MURI, VALLICODU VILLAGE,
KOZHANCHERRY.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT AND STATE

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR, KONNI EXCISE RANGE,
KONNI.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5371/2006

DATED THIS THE 12TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 55(g) of the Abkari Act in C.R.No.2/2005 of Konni Excise Range. The prosecution alleges that the petitioner was found in illegal possession of 445 liters of wash on 14.2.2005. But he could not be arrested as he ran away and escaped. This is denied by the counsel for the petitioner. However, the prosecution submitted that there is also another case registered against the petitioner, in violation of the provisions of the Abkari Act.

2. After hearing both sides and considering the facts on record, I direct the petitioner to surrender before the Inspector of Excise Range, Konni, who is investigating C.R.No.2/2005 of that Excise Range, on 19.9.2006 between 9.30 a.m and 10.00 a.m. The Investigating Officer shall interrogate the petitioner and

thereafter, produce him before the Court below, before 4.30 p.m on the same day itself.

3. The learned Magistrate shall consider the bail application that may be filed by the petitioner and pass orders on it, according to the law, after hearing the arguments advanced by the prosecution as well as the counsel for the petitioner.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs